

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Kelvin G.M. BROCKBANK et al.

Group Art Unit: 1651

Application No.: 10/670,724

Examiner: S. SAUCIER

Filed: September 26, 2003

Docket No.: 113024

For: METHOD FOR TREATMENT OF CELLULAR MATERIALS WITH SUGARS PRIOR
TO PRESERVATION

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Statement of Reasons for Allowance set forth in the May 10, 2007

Notice of Allowance, please consider the following remarks.

In the Statement of Reasons for Allowance, the Patent Office indicates that the rejection relying upon U.S. Patent No. 6,770,478 ("Crowe") was overcome by inclusion of the recitation that cellular material is a cell culture. Applicants submit that additional claim features further distinguish the claims over Crowe. For example, Crowe also does not teach or suggest a method for preserving living cellular material or a method of preparing living mammalian cellular material that includes incubating the cellular material in a culture medium that contains from 0.2 to 0.4M sugar, wherein the sugar comprises trehalose.

As acknowledged by the Patent Office, at most Crowe teaches a culture medium containing 0.09M trehalose. See Example 7 of Crowe. However, Crowe clearly teaches against increasing the concentrations of trehalose during incubation. In fact, Crowe teaches

that endocytotic uptake route is blocked at sugar concentrations above 0.1M. See column 14, lines 16-17 of Crowe.

Applicants thus submit that Crowe clearly does not teach or suggest, and in fact teaches away from, incubating the mammalian cellular material in a culture medium that contains from 0.2 to 0.4M sugar, i.e., trehalose, as required in claims 1 and 28.

Should the Examiner believe that anything further would be desirable, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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WPB:LL/hs

Date: August 10, 2007

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